

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

INTERNATIONAL ASSOCIATION OF
SHEET METAL, AIR, RAIL AND
TRANSPORTATION WORKERS,
TRANSPORTATION DIVISION,

Plaintiff,

UNION PACIFIC RAILROAD COMPANY,
et al.,

Defendant.

Civil Action Nos.: 21-cv-5506, 21-cv-5622,
21-cv-5502

Judge Lee

PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION

Pursuant to Fed. R. Civ. P. 65, the Transportation Division of the International Association of Sheet Metal, Air, Rail and Transportation Workers ("SMART-TD"), together with its named General Committees of Adjustment ("GCA"), respectfully move this Court for a preliminary injunction that enjoins Union Pacific Railroad Company ("UP") and Norfolk Southern Railway Company ("NS") (hereinafter collectively referred to as "the Railroads") from unilaterally implementing their respective vaccine mandate policies without engaging in the required bargaining processes as set forth in Section 6 of the Railway Labor Act ("RLA" or "the Act"), 45 U.S.C. § 156. The Railroads unilateral action violates Sections 2 First, Seventh, and 6 of the RLA, 45 U.S.C. §§ 152 First, 152 Seventh, 156, entitling the Union to a status quo injunction without the necessity of demonstrating irreparable harm. The law and facts supporting this Motion are set forth in an accompanying Memorandum of Law, filed herewith.

Respectfully submitted,

/s/ Erika A. Diehl;_

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CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of November 2021, I caused the foregoing to be filed in this Court's CM/ECF system. I also certify that the foregoing document is being served via upon all attorneys of record via the CM/ECF system.

/s/ Erika A. Diehl-Gibbons

Erika A. Diehl-Gibbons